

14. (Not Amended) The image forming apparatus according to claim 9,
wherein said electron-emitting devices are field emission type electron-emitting devices.

15. (Not Amended) The image forming apparatus according to claim 9,
wherein said electron-emitting devices are surface conduction electron-emitting devices.

[Please add Claims 16 and 17 as follows:]

16. (New) The image forming apparatus to claim 9, wherein said getter is
disposed on the periphery of at least one corner of said outer frame.

17. (New) The image forming apparatus to claim 9, wherein said getter is
disposed on said first plate.

REMARKS

Claims 9-17 are presented for consideration, with Claim 9 being independent.

Claims 16 and 17 have been added to provide an additional scope of
protection.

Claims 9-15 stand rejected under 35 U.S.C. § 103 as allegedly being obvious
over Spindt '117 in view of Cathey '226. This rejection is respectfully traversed.

Applicants' invention is set forth in Claim 9 relates to an image forming
apparatus comprising a first plate including electron-emitting devices, a second plate facing the
first plate, and a plurality of spacers disposed between the first plate and the second plate and
disposed substantially in parallel with each other and extending in a longitudinal direction. An
outer frame hermetically surrounds a space between the first plate and the second plate. In

addition, a getter is disposed between the first plate and the second plate and within the space, and is proximate to a side of the outer frame that is positioned across an imaginary extension of the spacers in the longitudinal direction thereof.

Applicants' invention sets forth that the getter is disposed between the first and second plates and proximate to a side of the outer frame that is positioned across an imaginary extension of the spaces in the longitudinal direction. By placing the getter in this position, the image forming apparatus can be efficiently evacuated and sealed, thus providing a well-maintained vacuum within the space.

The primary citation to Spindt relates to an image forming apparatus that includes, as stated in the Office Action, first and second plates, 14 and 12, and spacers 20 disposed between the first and second plates. Spindt does not disclose, however, a getter as provided in Applicants' invention.

The secondary citation to Cathey is recited to compensate for the deficiencies in Spindt. Cathey shows an image forming apparatus that includes a getter, i.e., conductive metal wire 21, disposed between the first and second plates and proximate to a side of an outer frame.

In contrast to Applicants' claimed invention, however, the getter in Cathey is understood to be disposed proximate to a side of the outer frame which is positioned parallel to, and not across, an imaginary extension of the spacers in the longitudinal direction. The getter in Cathey, therefore, is not positioned as recited in Applicants' claimed invention.

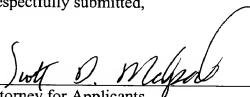
Accordingly, without conceding the propriety of combining Spindt and Cathey in the manner proposed in the Office Action, such a combination still fails to teach or suggest Applicants' claimed invention. Therefore, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 103 is respectfully requested.

Accordingly, it is submitted that Applicants' invention is set forth in independent Claim 9 as patentable over cited art. In additional, dependent Claims 10-17 set forth additional features of Applicants' invention. For example, Claim 16 recites the getter is disposed on the periphery of at least one corner of the outer frame. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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